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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/849,280	05/19/2004	Chih-Wei Wang	17778	6631

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GARDEN CITY, NY 11530

EXAMINER

VANAMAN, FRANK BENNETT

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/849,280

Applicant(s)

WANG, CHIH-WEI

Examiner

Frank Vanaman

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-14, 17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10, 11, 13, 17, 19, 21 and 23 is/are rejected.
- 7) ☐ Claim(s) 12, 14, 20, 22, 24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **Status of Application**

1. Applicant's amendment, filed on Nov 16, 2006, after Final Rejection, has been entered in the application. Claims 10-14, 17, 19-24 are pending. Claims 1-9, 15, 16 and 18 have been canceled. The finality of the previous office action is hereby withdrawn.

### **Claim Objections**

2. Claim 17 is objected to because of the following informalities: the claim is written to depend from a canceled claim (claim 15). In this case, claim 17 is understood to be dependent from claim 10. Appropriate correction is required.

### **Withdrawal of Allowable Subject Matter**

3. The allowability of claims 10, 11, 13, 17, 19, 21 and 23 (based upon the previous indication of the allowability of the material previously presented in claim 15 is withdrawn in view of the newly discovered reference to Kuo. Claim rejections based upon the reference to Kuo follow.

### **Claim Rejections - 35 USC § 102**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 10, 11, 13, 19, 21, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuo (US 5,348,374). Kuo teaches a stroller frame (11, figure 1) to which may be attached a tray (43) having at least first, second and third guiders (pin elements, not referenced, figures 4a, 4b, at least eleven being shown) provided on the tray for guiding respective slots of at least first and second sliders (48A, 48B), which are provided with grooves for accommodating each guider, an operating unit (47, 49, 55) having a tongue shaped coupling piece (54), and at least three grooves, each of which accommodate a tray-mounted guider, the coupling piece (54) being slidably engageable with a rounded end (56A, 56B) of a slider rib, an elastic member (52) contacting the slider for biasing motion of the slider (52A and 52B are not explicitly cited as having an opposite end connected to the tray, however for exerting a force against a portion of the

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slider such a connection would be required, otherwise no bias force could be exerted - in this case such a connection is understood to be inherent), each slider movable under the control of the operating unit to move between a position where protruding stake elements (51A, 51B, 50A, 50B) engage with holes in a frame unit portion (notches in 14), and one where the elements do not engage the frame unit portion, each slider being provided with at least one groove at each end thereof (e.g., proximate 56 and proximate 48), the top of the tray serving as a cover for shielding the operation of the sliders and operating unit, the tray defining an aperture (see figure 2, front of 43) through which a head portion of the operating unit protrudes.

### **Claim Rejections - 35 USC § 103**

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuo (cited above). The reference to Kuo is discussed above and fails to explicitly teach that the tray-engaging end of the elastic spring element engages the guider element positioned at one end of the slider element. Inasmuch as it is understood that the spring must have an end which engages the tray in order to exert a biasing force on the slider, it would have been obvious to one of ordinary skill in the art at the time of the invention to connect the tray-end of the spring taught by Kuo to one of the guiders positioned at an end of the slider (e.g., one positioned closely proximate element 52A, 52B), for the purpose of using an already-existing portion of the tray to serve as an anchor of the spring, reducing the quantity of further material required in the making of the tray and allowing an existing tray portion to advantageously serve a second purpose.

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**Allowable Subject Matter**

8. Claims 12, 14, 20, 22 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Comment**

9. The examiner apologizes for any inconvenience associated with the examiner's failing to previously cite and apply the reference to Kuo.

**Conclusion**

10. Any inquiry specifically concerning this communication or earlier communications from the examiner should be directed to F. Vanaman whose telephone number is 571-272-6701.

Any inquiries of a general nature or relating to the status of this application may be made through either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A response to this action should be mailed to:

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450,

Or faxed to:

PTO Central Fax: 571-273-8300

**F. VANAMAN**  
**Primary Examiner**  
**Art Unit 3618**



11/28/06